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ET

1. (New) The information storage device as claimed in claim 1, wherein said interrupt processing determines whether said interrupt processing is normal, and if so, setting recording areas continues, otherwise a determination of whether the interrupt processing is a track following information error occurs, and if so, defect information is stored in a defect map in a buffer memory, and a recording area setting procedure is set in said buffer memory.

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12. (New) The defect information management method as claimed in claim 6, wherein said interrupt processing includes the steps of determining whether said interrupt processing is normal, and if so, continuing to set recording areas, otherwise determining whether said interrupt processing is a track following information error, and if so, storing defect information in a defect map in a buffer memory, and setting a recording area setting procedure in said buffer memory.

### REMARKS

Claims 1 and 6 stand rejected under 35 U.S.C. § 103(a) as being obvious over Tsuboi et al. (U.S. Patent No. 6,043,945) in view of Serrano et al. (U.S. Patent No. 6,181,500). Applicant respectfully traverses this rejection because the cited references taken alone, or in combination, do not disclose or suggest interrupt processing as claimed. Even if combined, the references would not disclose or suggest continuous format processing with re-writing or replacement of servo information since the Tsuboi

reference only discloses continuous formatting while replacing data defects and the Serrano reference only discloses re-writing defective servo patterns, without disclosing that the process is continuous.

The Examiner indicates that the Tsuboi reference teaches interrupt processing. However, the interrupt processing in the Tsuboi reference is different from the interrupt processing recited in claims 1 and 6. The interrupt processing in the Tsuboi reference is for replacing defective sectors only.

The Serrano reference discloses replacing defects by writing in a servo field to correct the defects. Serrano does not disclose or suggest continued formatting of a disk upon writing in the servo field.

In contrast, interrupt processing as recited in the present invention is caused by detecting an error in the track following information (servo information). Moreover, as described in pages 3 and 4 of the specification of the present invention as related art, defect information is detected while following the track 18 according to the servo information 16, and when an error is detected in servo information, format processing is continued. Thus, since the Tsuboi reference does not disclose an apparatus or method for detecting and replacing a servo field while continuing to format an information storage device, and the Serrano reference is silent on continued format processing, Applicants consider the rejection traversed.

Claims 2-5 and 7-10 stand rejected under 35 U.S.C. §103(a) as being obvious over to Tsuboi et al. in view of Serrano et al., and further in view of Nemazie

(U.S. Patent No. 6,025,966). Claims 2-5 and 7-10 depend from claim 1 or claim 6, respectfully, and are considered allowable for the reasons stated with respect to claims 1 and 6 above, and based on their chain of dependency.

New claims 11 and 12 are dependent from claims 1 and 6, respectively, and recite further features of the present invention. Since claims 1 and 6 are considered allowable for the reasons cited above, these claims are also considered allowable based on their chain of dependency to independent claims 1 and 6 and their added features, respectively. More particularly, the cited references do not disclose or suggest interrupt processing in which it is determined whether the interrupt processing is normal, and if so, setting recording areas continues. Otherwise, a determination of whether the interrupt processing is a track following information error occurs, and if so, defect information is stored in a defect map in a buffer memory, and a recording area setting procedure is set in the buffer memory. Accordingly, new claims 11 and 12 are considered allowable, and allowance of these claims is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment, captioned **Version with Markings to Show Changes Made.**

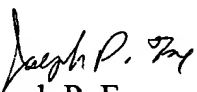
For all of the above reasons, Applicant respectfully requests reconsideration and allowance of all pending claims.

Applicant believes that this case is in condition for allowance, which is respectfully requested. The Examiner should contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE****In the Claims:**

New claims 11 and 12 have been added as follows:

11. (New) The information storage device as claimed in claim 1, wherein said interrupt processing determines whether said interrupt processing is normal, and if so, setting recording areas continues, otherwise a determination of whether the interrupt processing is a track following information error occurs, and if so, defect information is stored in a defect map in a buffer memory, and a recording area setting procedure is set in said buffer memory.

12. (New) The defect information management method as claimed in claim 6, wherein said interrupt processing includes the steps of determining whether said interrupt processing is normal, and if so, continuing to set recording areas, otherwise determining whether said interrupt processing is a track following information error, and if so, storing defect information in a defect map in a buffer memory, and setting a recording area setting procedure in said buffer memory.